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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,393	09/12/2003	Robert William Collins		8416

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EXAMINER

HOGUE, GARY CHAPMAN

ART UNIT PAPER NUMBER

3611

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/661,393	Applicant(s) COLLINS, ROBERT WILLIAM	
	Examiner Gary C. Hoge	Art Unit 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 7-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4 and 7-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the recitation that the reminder pocket comprises a transparent window “having four edges secured to a front face of a flat pattern blank of said envelope by an adhesive supplied along three said edges” is ambiguous. It could mean: “having four edges that are secured to a front face . . .” or “having four edges, said window being secured . . .” It is believed that the latter meaning is the intended meaning, and it is suggested that similar language be incorporated into the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Powell (3,365,117).

Powell discloses an envelope having a front face 4 and a rear face 5; and means 9 for reminding a recipient of an event (e.g., dropping film off to be processed); and means 12, 13 for

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readily removing the reminder means from the envelope. A reminder pocket comprises a transparent window **18** that is secured to a front face of a flat pattern blank of the envelope by an adhesive applied along four of its edges (and therefore any three of its edges).

Regarding claim 3, see Fig. 6. In its unfolded configuration, the reminder means **9** comprises a defined portion of the rear face of the envelope.

Regarding claim 7, the recitation that the transparent window is “for revealing the mailing address of the initial recipient” is merely a statement of intended use and only requires the ability to so perform.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8 and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powell (3,365,117) in view of Transport (4,291,798).

Powell discloses the invention substantially as claimed, as set forth above. However, Powell does not disclose a means of displaying the envelope. Transport teaches that it was known in the art to provide an envelope with a display supporting panel. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the envelope disclosed by Powell with a display supporting panel, as taught by Transport, in order to display the envelope in an upright position, perhaps to remind the film technician of pending orders.

Regarding claim 11, see Fig. 6. In its unfolded configuration, the reminder means 9 comprises a defined portion of the rear face of the envelope.

Regarding claim 12-14, transparent window 18 forms a pocket that receives the reminder means 9 prior to detachment from the envelope.

7. Claims 9, 16, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powell (3,365,117) in view of Transport (4,291,798), as applied to claim 8, above, and further in view of Fox (2,845,733).

Transport discloses the invention substantially as claimed, as set forth above. However, the display supporting panel 29 disclosed by Transport is attached to a sealing flap by a tongue-and-groove connection, rather than by adhesive. Fox teaches that it was known in the art to use adhesive to connect such elements. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use adhesive to connect the display supporting panel disclosed by Transport to the sealing flap, as taught by Fox, in order to make the connection more secure.

8. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Powell (3,365,117) in view of Transport (4,291,798) and Fox (2,845,733), as applied to claim 17, above, and further in view of Klein (5,755,433).

Powell discloses the invention substantially as claimed, as set forth above. However, the adhesive disclosed by Fox does not include a peel away release strip. Klein teaches that it was known in the art to provide such a strip. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the envelope disclosed by Powell, as

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modified, with a peel away release strip, as taught by Klein, to allow the user to seal the envelope without having to lick it.

9. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Powell (3,365,117) in view of Transport (4,291,798) and Fox (2,845,733), as applied to claim 17, above, and further in view of Martin (6,237,837).

Powell discloses the invention substantially as claimed, as set forth above. However, Powell does not disclose a magnet attached to the envelope. Martin teaches that it was known in the art to attach a magnet to the back of an envelope, in order to display the envelope on a metallic surface. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the envelope disclosed by Powell with a magnet, as taught by Martin, in order to display the envelope on a metallic surface.

Response to Arguments

10. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

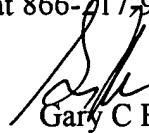
Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Hoge whose telephone number is (571) 272-6645. The examiner can normally be reached on 5-4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gary C Hoge
Primary Examiner
Art Unit 3611

gch